

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ALEXANDER DUNLOP,

Plaintiff,

-versus-

06 CV 433 (RJS)(JCF)

THE CITY OF NEW YORK, et al.

Defendants.
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JAMES MIRRO, an attorney duly admitted to practice in the United States District Court for the Southern District of New York, declares under penalty of perjury and pursuant to 28 U.S.C. §1746 that the following is true and correct:

1. I am a Special Assistant Corporation Counsel in the office of MICHAEL A. CARDOZO, Corporation Counsel of the City of New York, attorney for defendants.

2. I am familiar with the facts and circumstances stated herein based upon personal knowledge, the books and records of the City of New York, and conversations with its agents and employees.

3. I submit this declaration in support of defendants' motion for reconsideration with respect to the plaintiff's Video Conspiracy claim, which defendants sought to dismiss pursuant to Rules 8 and 12(b)(6) of the FRCP. The Court denied that motion on May 6, 2008.

4. I certify that the document attached as Exhibit "A" to this declaration is a true and correct copy of the defendants' memorandum of law filed in support of their motion to dismiss the Video Conspiracy claim.

5. I certify that the document attached as Exhibit "B" to this declaration is a true and correct copy of the defendants' reply memorandum filed in support of their motion.

6. I certify that the document attached as Exhibit "C" to this declaration is a true and correct copy of the cover letter from undersigned counsel to the Court enclosing the memorandum of law in support of the motion made by the district attorney defendants to dismiss the Video Conspiracy claim.

7. I certify that the document attached as Exhibit "D" to this declaration is a true and correct copy of the motion, memorandum of law and related exhibits served by the district attorney defendants upon opposing counsel pursuant to the motion schedule entered by Judge Karas.

8. I certify that the document attached as Exhibit "E" to this declaration is a true and correct copy of the plaintiff's opposition brief, with related exhibits, received by defendants.

9. I certify that the document attached as Exhibit "F" to this declaration is a true and correct copy of portions of the transcript of the 50-H testimony of plaintiff Alexander Dunlop.

Dated: New York, New York
May 20, 2008



JAMES MIRRO
Special Assistant Corporation Counsel